

AMENDED IN SENATE APRIL 17, 1996

SENATE BILL

No. 2161

Introduced by Senator Leslie

February 23, 1996

An act to amend Sections 290.1, 290.4, and 4852.01 of, and to repeal Section 290.5 of, the Penal Code, relating to sex offenders.

LEGISLATIVE COUNSEL'S DIGEST

SB 2161, as amended, Leslie. Sex offenders: registration.

Existing law authorizes a person who is required to register annually with local law enforcement officials as a sex offender to petition for a certificate of rehabilitation and pardon. Upon obtaining a certificate of rehabilitation, that person is relieved of any further duty to register as a sex offender. Failure to register when required is a misdemeanor.

~~This bill would repeal the provision that relieves that person of any further duty to register as a sex offender upon obtaining a certificate of rehabilitation. Because the bill would expand the scope of an existing crime and impose an increased level of registration duties on local law enforcement officials, it would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.~~

~~This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.~~

~~With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.~~

This bill would provide that the person is relieved of any further duty to register upon receipt of the certificate of rehabilitation if he or she is not in custody, on parole, or on probation.

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~ *no*. State-mandated local program: ~~yes~~ *no*.

The people of the State of California do enact as follows:

~~SECTION 1. Section 290.1 of the Penal Code is~~

SECTION 1. Section 290.5 of the Penal Code is amended to read:

290.5. A person required to register under Section 290 may initiate a proceeding under Chapter 3.5 (commencing with Section 4852.01) of Title 6 of Part 3 of this code, and upon obtaining a certificate of rehabilitation, shall be relieved of any further duty to register under Section 290 if not in custody, on parole, or on probation. Such This certificate shall not relieve petitioner of the duty to register under Section 290 for any offense subject to that section of which he or she is convicted in the future.

All matter omitted in this version of the bill appears in the bill as introduced in the Senate, February 23, 1996 (JR 11)

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